

FILED
ELECTRONICALLY

9/15/06

STUTMAN, TREISTER & GLATT, P.C.
FRANK A. MEROLA, ESQ.
(CA State Bar No. 136934)
EVE H. KARASIK, ESQ.
(CA State Bar No. 155356)
ANDREW M. PARLEN, ESQ.
(CA State Bar No. 230429)
1901 Avenue of the Stars, 12th Floor
Los Angeles, CA 90067
Telephone: (310) 228-5600
Facsimile: (310) 228-5788
E-mail: fmerola@stutman.com
ekarasik@stutman.com
apahlen@stutman.com

SHEA & CARLYON, LTD.
JAMES PATRICK SHEA, ESQ.
(Nevada State Bar No. 000405)
CANDACE C. CARLYON, ESQ.
(Nevada State Bar No. 002666)
SHLOMO S. SHERMAN, ESQ.
(Nevada State Bar No. 009688)
233 South Fourth Street, Second Floor
Las Vegas, Nevada 89101
Telephone: (702) 471-7432
Facsimile: (702) 471-7435
E-mail: jshea@sheacarlyon.com
ccarlyon@sheacarlyon.com
ssherman@sheacarlyon.com

*Counsel for the Official Committee of Equity Security
Holders of USA Capital First Trust Deed Fund, LLC*

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:)	BK-S-06-10725-LBR
USA COMMERCIAL MORTGAGE COMPANY)	Chapter 11
Debtor)	
In re:)	BK-S-06-10726-LBR
USA CAPITAL REALTY ADVISORS, LLC,)	Chapter 11
Debtor)	
In re:)	BK-S-06-10727-LBR
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,)	Chapter 11
Debtor)	
In re:)	BK-S-06-10728-LBR
USA CAPITAL FIRST TRUST DEED FUND, LLC,)	Chapter 11
Debtor.)	
In re:)	BK-S-06-10729-LBR
USA SECURITIES, LLC,)	Chapter 11
Debtor.)	
Affects)	
<input type="checkbox"/> All Debtors)	
<input type="checkbox"/> USA Commercial Mortgage Co.)	Date: August 31, 2006
<input type="checkbox"/> USA Securities, LLC)	Time: 9:30 a.m.
<input type="checkbox"/> USA Capital Realty Advisors, LLC)	
<input type="checkbox"/> USA Capital Diversified Trust Deed)	
<input checked="" type="checkbox"/> USA Capital First Trust Deed Fund, LLC)	

**NOTICE OF ENTRY OF ORDER SUSTAINING OMNIBUS OBJECTION OF THE
OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL
FIRST TRUST DEED FUND, LLC TO MISFILED CLAIMS (AFFECTS DEBTOR USA
CAPITAL FIRST TRUST DEED FUND, LLC AND CLAIMANTS MELANIE COWAN,
ROSS DELLER, BRENDA FALVAI, FRIEDA MOON, EDWARD J. AND DARLENE A.
QUINN, AND SHARON C. VAN ERT)**

PLEASE TAKE NOTICE that an Order Sustaining Omnibus Objection of the Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC to Misfiled Claims (Affects Debtor USA Capital First Trust Deed Fund, LLC and Claimants Melanie Cowan, Ross Deller, Brenda Falvai, Frieda Moon, Edward J. and Darlene A. Quinn, and Sharon C. Van Ert) was entered on September 14, 2006, a true and correct copy of which is attached hereto.

DATED this 15th day of September, 2006.

SHEA & CARLYON, LTD.



CANDACE C. CARLYON, ESQ.

Nevada Bar No. 0002666

SHLOMO S. SHERMAN, ESQ.

Nevada Bar No. 009688

233 S. Fourth Street, Suite 200

Las Vegas, NV 89101

and

STUTMAN, TREISTER & GLATT, P.C.

Frank A. Merola, Esq.

Eve. H. Karasik, Esq.

Andrew M. Parlen, Esq.

1901 Avenue of the Stars, 12th Floor

Los Angeles, CA 90067

EXHIBIT “1”



Entered on Docket
September 14, 2006

Hon. Linda B. Riegle
United States Bankruptcy Judge

STUTMAN, TREISTER & GLATT, P.C.
FRANK A. MEROLA, ESQ.
(CA State Bar No. 136934)
EVE H. KARASIK, ESQ.
(CA State Bar No. 155356)
ANDREW M. PARLEN, ESQ.
(CA State Bar No. 230429)
1901 Avenue of the Stars, 12th Floor
Los Angeles, CA 90067
Telephone: (310) 228-5600
Facsimile: (310) 228-5788
E-mail: fmerola@stutman.com
ekarasik@stutman.com
aparden@stutman.com

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SHLOMO S. SHERMAN, ESQ.
(Nevada State Bar No. 009688)
233 South Fourth Street, Second Floor
Las Vegas, Nevada 89101
Telephone: (702) 471-7432
Facsimile: (702) 471-7435
E-mail: jshea@sheacarlyon.com
ccarlyon@sheacarlyon.com
ssherman@sheacarlyon.com

*Counsel for the Official Committee of Equity Security
Holders of USA Capital First Trust Deed Fund, LLC*

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:
USA COMMERCIAL MORTGAGE COMPANY
Debtor

) BK-S-06-10725-LBR
) Chapter 11

In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor

) BK-S-06-10726-LBR
) Chapter 11

In re:
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,
Debtor

) BK-S-06-10727-LBR
) Chapter 11

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,
Debtor.

) BK-S-06-10728-LBR
) Chapter 11

In re:
USA SECURITIES, LLC,
Debtor.

) BK-S-06-10729-LBR
) Chapter 11

Affects

- ☐ All Debtors)
☐ USA Commercial Mortgage Co.)
☐ USA Securities, LLC)
☐ USA Capital Realty Advisors, LLC)
☐ USA Capital Diversified Trust Deed)
☒ USA Capital First Trust Deed Fund, LLC)

Date: August 31, 2006

Time: 9:30 a.m.

**ORDER SUSTAINING OMNIBUS OBJECTION OF THE OFFICIAL COMMITTEE
 OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND,
 LLC TO MISFILED CLAIMS (AFFECTS DEBTOR USA CAPITAL FIRST TRUST
 DEED FUND, LLC AND CLAIMANTS MELANIE COWAN, ROSS DELLER, BRENDA
 FALVAL, FRIEDA MOON, EDWARD J. AND DARLENE A. QUINN, AND SHARON C.
 VAN ERT)**

The Court having considered the Omnibus Objection of the Official Committee of
 Equity Security Holders of USA Capital First Trust Deed Fund, LLC (the "FTDF Committee")
 to Misfiled Claims, including claim nos. 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 18, 21, 22, 23, 24,
 27, 28, and 29 (the "Objection"); having reviewed the pleadings, papers and records on file in
 this action and the arguments of counsel; no opposition to the Objection having been timely
 filed; and good cause appearing:

IT IS HEREBY ORDERED that the FTDF Committee's Objection is sustained.

IT IS FURTHER ORDERED that the claims listed on Exhibit A attached hereto shall be
 disallowed, and the claimants shall not be entitled to any distribution from USA Capital First

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1 Trust Deed Fund, LLC with respect to such claims.

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3 SUBMITTED BY:

4 SHEA & CARLYON, LTD.

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6 
7 JAMES PATRICK SHEA, ESQ.
8 CANDACE C. CARLYON, ESQ.
9 SHLOMO S. SHERMAN, ESQ.
10 Nevada Bar No. 009688
11 233 S. Fourth Street, Suite 200
12 Las Vegas, NV 89101

13 and

14 STUTMAN, TREISTER & GLATT, P.C.
15 Frank A. Merola, Esq.
16 Eve. H. Karasik, Esq.
17 Andrew M. Parlen, Esq.
18 1901 Avenue of the Stars, 12th Floor
19 Los Angeles, CA 90067

20 *Counsel for the Official Committee of Equity Security*
21 *Holders of USA Capital First Trust Deed Fund, LLC*

22 APPROVED / DISAPPROVED

23 OFFICE OF THE UNITED STATES TRUSTEE


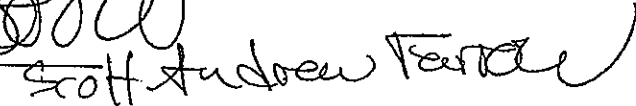
24 
25 AUGUST B. LANDIS, ESQ. 
26 300 Las Vegas Blvd. South, Ste. 4300
27 Las Vegas, NV 89101
28

EXHIBIT “A”

EXHIBIT "A"**Wrong Debtor Claims**

Claim No.	Claimant	Date Filed	Claim Amount
3	Frieda Moon, Trustee of the Decedent's Trust of the Restated Moon Irrevocable Trust Dated 6/12/1987	May 22, 2006	\$37,860.24
4	Frieda Moon, Trustee of the Decedent's Trust of the Restated Moon Irrevocable Trust Dated 6/12/1987	May 22, 2006	\$51,033.34
5	Frieda Moon, an unmarried woman and Sharon c. Van Ert, an unmarried woman, as joint tenants with right of survivorship	May 23, 2006	\$51,033.34

Claim No.	Claimant	Date Filed	Claim Amount
8	Frieda Moon, an unmarried woman and Sharon c. Van Ert, an unmarried woman, as joint tenants with right of survivorship	May 23, 2006	\$51,076.38
9	Frieda Moon, Trustee of the Decedent's Trust of the Restated Moon Irrevocable Trust Dated 6/12/1987	May 23, 2006	\$51,076.38
10	Frieda Moon, Trustee of the Decedent's Trust of the Restated Moon Irrevocable Trust Dated 6/12/1987	May 23, 2006	\$25,538.20
11	Brenda Falvai	June 2, 2006	\$50,933.34

Claim No.	Claimant	Date Filed	Claim Amount
12	Brenda Falvai	June 2, 2006	\$50,972.22
13	Brenda Falvai	June 2, 2006	\$50,933.34
14	Brenda Falvai	June 2, 2006	\$50,933.34
15	Brenda Falvai	June 2, 2006	\$37,860.24
18	Melanie Cowan	June 23, 2006	\$100,000.00

Claim No.	Claimant	Date Filed	Claim Amount
21	Ross Deller	June 23, 2006	\$50,000.00
22	Ross Deller	June 23, 2006	\$120,000.00
23	Ross Deller	June 23, 2006	\$50,000.00
24	Ross Deller	June 23, 2006	\$100,000.00
27	Edward J. Quinn and Darlene A. Quinn	July 24, 2006	\$156,388.48

Claim No.	Claimant	Date Filed	Claim Amount
28	Edward J. Quinn and Darlene A. Quinn	July 26, 2006	\$156,388.48
29	Edward J. Quinn and Darlene A. Quinn	July 26, 2006	\$156,388.48